

CONFIDENTIAL - F. RUSSO
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KELLEY AMADEI, et al.,
Plaintiffs,

Civil No. 17 Civ.
(NGG) (VMS)

vs.
KIRSTJEN NIELSEN, et al.,
Defendant.
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* * *CONFIDENTIAL* * *
VIDEOTAPED DEPOSITION OF FRANCIS J. RUSSO
New York, New York
August 30, 2018

Reported by:

KATHY S. KLEPFER, RMR, RPR, CRR, CLR

JOB NO. 146015

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2 issued by the New York Field Office, do they
3 have those -- the same restrictions, that they
4 need to be not in conflict with headquarters'
5 policies; is that right?

6 A. Yes.

7 Q. And do they also need to be not in
8 conflict with other policies at other Field
9 Offices?

10 A. Generally, yes, most -- the Field
11 Offices know that they should be consistent with
12 each other.

13 Q. And are you aware of any instances in
14 which a New York Field Office policy was
15 inconsistent with another Field Office policy?

16 A. I don't recall any at this time.

17 Q. And what about headquarters, are there
18 any restrictions on the policies that
19 headquarters can issue?

20 A. I'm not sure because I don't work
21 there, but, you know, generally, they -- they
22 would issue policy that is consistent with what
23 the department is asking for as well.

24 Q. And as far as you're aware, there's no
25 policy at headquarters that deals with

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2 identification checks of domestic passengers?

3 A. There is no policy.

4 Q. And there's no policy at the New York

5 Field Office relating to checks of --

6 identification checks of domestic passengers?

7 A. There is no policy.

8 Q. And there is no policy at the JFK Port

9 of Entry relating to identification checks of

10 domestic passengers?

11 A. There is not.

12 Q. And are you aware of any policy

13 relating to identification checks of domestic

14 air passengers anywhere at CBP?

15 A. I am not aware of any policy of

16 domestic checks.

17 Q. Again, I want to make sure my question

18 is clear that it relates to policies pertaining

19 to identification checks of CB -- of passengers

20 on domestic flights?

21 A. There is -- yeah, there is no policy

22 of identification checks of passengers on

23 domestic flights.

24 Q. My question is not whether there's a

25 policy requiring --

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2 A. Right.

3 Q. -- identification checks.

4 A. Uh-huh.

5 Q. Is there a policy anywhere at CBP that
6 you're aware of that relates to the procedures
7 by which officers must follow when they are
8 checking the identification of passengers on
9 domestic flights?

10 A. No, there is not.

11 Q. CBP also has standard operating
12 procedures?

13 A. Yes.

14 Q. Sometimes they're called SOPs?

15 A. Yes.

16 Q. Who issues standard operating
17 procedures at CBP?

18 A. Could be headquarters or the Field
19 Office or the port.

20 Q. So no other entity other than those
21 three within the JFK chain of command?

22 A. I can't think of any right now.

23 Q. And so, in order to issue a standard
24 praying procedure, what's the process that has
25 to take place?